

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**MARY TROUPE, et al.**

**PLAINTIFFS**

**VS.**

**CIVIL ACTION NO. 3:10-cv-153-HTW-MTP**

**HALEY BARBOUR, et al.**

**DEFENDANTS**

**MOTION TO INTERVENE AND TO VACATE PROTECTIVE ORDER**

Gannett River States Publishing Corporation d/b/a The Clarion-Ledger (the “Clarion Ledger”), files this Motion to Intervene and to Vacate Protective Order, and in support thereof, would state as follows:

1. The Clarion Ledger filed a complaint to compel public access to records against the Mississippi Department of Mental Health (the “Department”) on April 6, 2015 in the Chancery Court of Hinds County seeking access to Technical Assistance Collaborative’s (“TAC”) March 2015 report on Mississippi’s current services and programs related to children’s behavioral health needs (the “TAC Report”).

2. Immediately thereafter on April 24, 2015, and prior to responding to the Clarion Ledger’s complaint against it, the Department moved this Court for and obtained a protective order covering the TAC Report. *See* Mot. [Docs. 68 & 70].

3. It is well-established that the Clarion Ledger may intervene in this matter for the limited purpose of challenging the protective order, as the protective order impedes the Clarion Ledger’s ability to gather the news.

4. Furthermore, the protective order should be vacated because the Department failed to show good cause as to the need for the TAC Report to be protected from public

disclosure and because the protective order essentially forecloses the public's right to access the TAC Report pursuant to the Mississippi Public Records Act.

5. The Clarion Ledger submits the following exhibits in support of its Motion:

- Exhibit A** Clarion Ledger's Complaint in Hinds County Chancery Court
- Exhibit B** August 29, 2014 Letter from Jim Hood
- Exhibit C** Affidavit of Joy Hogge
- Exhibit D** Clarion Ledger Article
- Exhibit E** Clarion Ledger's Public Records Request
- Exhibit F** The Department's Response to Public Records Request

Additionally, the Clarion Ledger contemporaneously files a memorandum brief in support of its Motion.

ACCORDINGLY, the Clarion Ledger respectfully requests this Court to grant its motion (1) allowing it to intervene in this matter for the limited purpose of objecting to the protective order and (2) vacating the protective order. The Clarion Ledger requests such other relief as this Court deems appropriate.

June 24, 2015.

Respectfully submitted,

**GANNETT RIVER STATES PUBLISHING  
CORPORATION D/B/A THE CLARION-LEDGER**

By: /s/ Leonard Van Slyke  
One of Its Attorneys

OF COUNSEL:

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**CERTIFICATE OF SERVICE**

I, Leonard Van Slyke, do hereby certify that I electronically filed today the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to all attorneys of record in this matter.

Dated: June 24, 2015.

*/s/ Leonard Van Slyke*  
Leonard Van Slyke